

# **Exhibit B**

**PUBLIC VERSION**

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

**In the Matter of**

**CERTAIN MEMORY MODULES AND  
COMPONENTS THEREOF, AND PRODUCTS  
CONTAINING SAME**

**INV. NO. 337-TA-1023**

**INITIAL DETERMINATION ON VIOLATION OF SECTION 337 AND  
RECOMMENDED DETERMINATION ON REMEDY AND BOND**

Chief Administrative Law Judge Charles E. Bullock

(November 14, 2017)

Pursuant to the Notice of Investigation, 81 *Fed. Reg.* 69853 (Oct. 7, 2016), this is the Initial Determination in the matter of *Certain Memory Modules and Components thereof, and Products Containing Same*, Investigation No. 337-TA-1023.

For the reasons stated herein, the undersigned has determined that no violation of section 337 of the Tariff Act of 1930, as amended, has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain memory modules and components thereof, and products containing same with respect to **U.S. Patents** Nos. 8,001,434; 8,359,501; 8,689,064; 8,489,837; and **8,516,185**.

**PUBLIC VERSION****B. The Parties****1. Complainant**

Complainant Netlist, Inc. is a Delaware corporation with a principal place of business at 175 Technology Drive, Suite 150, Irvine, California. (Complaint at ¶7; CX-0001C at Q/A 49.) Netlist is in the business of designing, developing, manufacturing, and supporting high-performance memory modules. (CX-0001C at Q/A 51, 55.)

**2. Respondents****a) *SK hynix Inc.***

SK hynix Inc. is a Korean corporation, having a principal place of business at 2091, Gyeonghung-daero, Bubal-eub, Icheon-si, Gyeonggi-do, Korea. (Resp. to Complaint at ¶30.) SK hynix Inc. is the parent corporation of Respondents SK hynix America Inc. and SK hynix memory solutions Inc. (*Id.*) SK hynix Inc. is a manufacturer and supplier of dynamic random-access memory (“DRAM”) chips and memory modules, including the accused DDR4 LRDIMM and RDIMM products in this investigation. (See RX-0002C at Q/A 7.)

**b) *SK hynix America Inc.***

Respondent SK hynix America Inc. is a California corporation, having a principal place of business at 3101 North 1<sup>st</sup> Street, San Jose, California. (Resp. to Complaint at ¶31.) SK hynix America provides sales and technical support, and assists with customer relationships in the United States for SK hynix Inc. (*Id.*; RX-0001C at Q/A 45.)

**c) *SK hynix memory solutions Inc.***

SK hynix memory solutions Inc. is a Delaware corporation, having a principal place of business at 3103 North 1<sup>st</sup> Street, San Jose, California. (Resp. to Complaint at ¶32.) SK hynix memory solutions Inc. is a wholly-owned subsidiary of SK hynix Inc. that performs research and